



STATE OF TENNESSEE  
Department of General Services

# REQUEST FOR QUALIFICATIONS

on behalf of

*Department of Health*

## Best Value Procurement Option One

for

**Construction**

of

***Chiller Replacement – Phase 3***

***R. S. Gass State Lab***

***Nashville, Tennessee***

**SBC NUMBER: 406/003-01-2010-02**

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**29 August 2012**

## **1 INTRODUCTION**

### **1.1 Request For Qualifications (RFQ)**

- 1.1.1 Tennessee statutes (T.C.A. 4-15-101, et. seq.) empower the State Building Commission to award, subject to the approval of the State Building Commission, construction contracts for the improvement to real property for State of Tennessee projects. The Commission shall follow the “competitive sealed best value procedure” as herein described, in order to achieve maximum competition among qualified Contractors and to obtain the highest level of quality at the least price for construction projects “utilizing procedures that promote competition to the greatest extent possible”.
- 1.1.2 This contract shall be awarded under a Competitive Best Value Type 1 (BV1) source selection method by the State of Tennessee, herein referred to as the Owner. Under this method the contract will be awarded to the qualified, responsible Contractor whose qualifications and experience conform to the Request for Qualifications (RFQ) solicitation in accordance with the evaluation factors and selection procedures specified in this RFQ, and who offers the lowest proposed cost (bid), and who is determined to represent the best overall value to the Owner.
- 1.1.3 Through this RFQ the Owner seeks to procure the best services at the most favorable, competitive prices and to give all qualified businesses opportunity to do business with the Owner, including those that qualify as a Diversity Business Enterprise with the State of Tennessee.

### **1.2 Project Description**

- 1.2.1 Removal of existing variable flow chilled water distribution system and conversion to variable flow system. All air handler, exhaust fans, inline fans, hot water boilers, pumps, VAV boxes and controls used in Phase 3 shall match those utilized in Phase 2, such as the Andover Energy Management System (EMS) and AERCO hot water boilers.
- 1.2.2 Work shall include but not be limited to: demolition of existing piping, HVAC duct and electrical. New work shall include providing all required material, labor and equipment for lighting, electrical, data and power systems enabling a complete functioning system. Furnish, install and replace existing Variable Air Volume, air handling units as well as other improvements as needed to guarantee the overall functionality of the Facility's air handling system. Furnish, install and replace existing pumps with new. Remove existing steam and hot water boiler systems, furnish and install with new. This project to be coordinated with re-roof project, particular attention with the northeast basement level area.

### **1.3 Current Project Status**

- 1.3.1 A Designer for the project was selected by State Building Commission action on November 10, 2011. Construction Documents for the facility were developed by I.C. Thomasson Associates, Inc., Nashville, Tennessee. The overall project was divided into (3) phases, with this being the final phase.
- 1.3.2 For Contractors invited to submit bids, documents will be available from the Designer, I.C. Thomasson Associates, Inc., 2950 Kraft Drive, Suite 500, Nashville, TN 37204 with a refundable plans deposit of Seven Hundred Dollars (\$700.00). Also, plans may be viewed in area plan rooms. I.C. Thomasson is the contact entity at telephone number (615) 346.3400 or via email [rcarter@icthomasson.com](mailto:rcarter@icthomasson.com).

### **1.4 Expectations and Objectives**

- 1.4.1 To be considered for selection, the Contractor shall describe specific experience with successful management, field supervision, and execution of chilled water distribution system replacements in a continuously occupied facility, including but not limited to:
  - a. A list of completed or current projects of greater than \$500,000 completed by the firm in the last five (5) years. List shall include related client identification and contact information, project schedule and delivery dates.
  - b. List categories your company normally self-performs (e.g., electrical, piping etc.).
  - c. Describe your company's knowledge of chilled water and boiler standards within a health lab facility.
  - d. Describe project experience requiring special coordination of installation timelines so as not to interrupt services or operation of facilities, including required overnight and evening installation.
  - e. Provide examples of project experience where other Contractors were on site engaged in construction work.

- 1.4.2 Contractor shall address the above experience in their responses to RFQ Component 03 16 00, *Submittal and Evaluation Guide*, Section B and section C.

## **1.5 Schedule**

- 1.5.1 Construction activity for this project has time constraints related to having this Phase completed by January 29, 2014.
- 1.5.2 In order to avoid delay and to expedite Notice to Proceed, the successful Contractor shall have a Contract Bond prepared for submission along with submission of the Standard Form of Agreement Between Owner and Contractor.
- 1.5.3 Construction services shall start when the Contract is fully executed and Notice To Proceed has been issued. The anticipated construction time (calendar days) for this project is as provided in the contract documents.

## **1.6 RFQ Communications**

- 1.6.1 The Owner has assigned the following identification number for referencing in all communications regarding the RFQ:  
**SBC No. 406/003-01-2010-02**
- 1.6.2 Unauthorized contact regarding this procurement process with employees or officials of the State of Tennessee other than the RFQ Coordinator may result in disqualification.
- 1.6.3 Interested Parties must direct all communications regarding this procurement to the following RFQ Coordinator, who is the Owner's only official point of contact for this RFQ.

Howard Symons, RFQ Coordinator  
Department of General Services  
William R. Snodgrass Tennessee Tower, Suite 2200  
312 Rosa L. Parks Avenue  
Nashville, Tennessee 37243  
Telephone: 615-641-6146  
FAX: 615-741-2335  
Howard.Symons@tn.gov

## **1.7 Licensure**

- 1.7.1 Contractors shall be familiar with the Contractors Licensing Act of 1994, as currently amended (codified in Tennessee Code Annotated Sections 62-6-101, et seq.). An active State of Tennessee Contractor's License that is appropriate for the scope of work is required. A contract will not be awarded to a Contractor whose qualifications are in conflict with State of Tennessee licensing law.
- 1.7.2 Board for Licensing Contractors, 500 James Robertson Parkway, Nashville, TN 37243-1150  
OFFICE: (615) 741-8307: TOLL FREE: 1-800-544-7693.

## **1.8 Letter of Intent to Submit Qualifications**

- 1.8.1 Interested Parties shall submit a Letter of Intent to the RFQ Coordinator by the deadline shown in the RFQ Schedule of Events. The letter should include:
- a) Company name
  - b) Name and title of a contact person
  - c) Address, telephone number, facsimile phone number, and Email of the contact person
- 1.8.2 A Letter of Intent creates no obligation and is not a prerequisite for responding to the RFQ. However, in order to ensure accurate and consistent information, the Owner will alert Contractors who submit a Letter of Intent of official notifications concerning the RFQ.

## **1.9 Deadlines for Submittal of Qualifications**

- 1.9.1 Date and time deadlines are listed in the RFQ Schedule of Events. Contractor submittals shall respond to the RFQ instructions, requirements, and any RFQ exhibits, attachments, and amendments.
- 1.9.2 Failure to submit qualifications by the specified time shall cause the submittal to be disqualified.

## **1.10 Pre-Submittal Conference**

A Pre-Submittal Conference for all interested Contractors, scheduled as shown in the RFQ Schedule of Events, will be held at 9:30 A.M at the following location:

Davidson Room  
3<sup>rd</sup> Floor WRS Tennessee Tower  
312 Rosa L. Parks Avenue (entry is across from War Memorial on 7<sup>th</sup> Avenue)  
Nashville, TN 37243

The purpose of the conference is to discuss the types of work expected and to allow prospective Contractors to ask questions concerning the RFQ and the project scope. The Designer will be in attendance to address project scope issues, and a sample set of plans will be available for viewing.

- 1.10.1 Verbal responses given at the Pre-Submittal Conference are considered tentative and non-binding on the Owner.
- 1.10.2 Only written responses from the Owner will be official.

## 2 RFQ SCHEDULE OF EVENTS

- 2.1 The following Schedule of Events represents the Owner's best estimate of the schedule that will be followed. Unless otherwise specified, the time of day for the following events will be between 8:00 a.m. and 4:30 p.m., Central Time.
- 2.2 The Owner reserves the right, at its sole discretion, to adjust this schedule as it deems necessary. The Owner will communicate any adjustment to the Schedule of Events to companies from whom the Owner has received a Letter of Intent.

RFQ SCHEDULE OF EVENTS		
EVENT	TIME	DATE (all dates are State business days)
1. Owner Issues RFQ		Wednesday 29-Aug-2012
2. Deadline Disability Accommodation Request		Friday 31-Aug-2012
3. Pre-Submittal Conference	9:30 A.M. CT	Wednesday 5-Sep-2012
4. Letter of Intent Due		Monday 10-Sep-2012
5. Written Questions & Clarifications Due		Thursday 13-Sep-2012
6. Owner Responds to Written Requests		Monday 17-Sep-2012
7. Submittal Of Qualifications	2:00 P.M. CT	Friday 21-Sep-2012
8. Tentative Date Owner Notifies Eligible Bidders and RFQ Files Open for Public Review. Begin 7-Day Wait Period for Consideration of Protest		Tuesday 9-Oct-2012
9. End of 7-Day Wait Period for Consideration of Protest		Tuesday 16-Oct-2012
10. Anticipated Bid Date	1:00 P.M. CT	Monday 6-Nov-2012
11. Tentative Date of Final Disposition of Bids		Tuesday 14-Dec-2012
12. Anticipated Contract Start		Friday 14-Dec-2012

### **3 SUBMITTAL REQUIREMENTS**

#### **3.1 Qualifications Submittal Form and Delivery**

- 3.1.1 Each participating Contractor shall submit a Qualifications document in response to this RFQ addressing all components as specified in the RFQ and any amendments.
- 3.1.2 A Contractor shall not deliver Qualifications information orally or by any means of electronic transmission.
- 3.1.3 Submit a total of six (6) Qualifications documents: one (1) Submittal marked as the "Original" along with five (5) copies for distribution. Submit Qualifications documents to the Owner in a sealed package labeled with company name/logo, as well as clearly marked:
- "Do Not Open"  
Qualifications Submittal in Response to  
**RFQ 406/003-01-2010-02**
- 3.1.4 The Owner must receive all submittals in response to this RFQ no later than the Deadline time and date detailed in the Schedule of Events, at the following address:

Howard Symons, RFQ Coordinator  
Real Property Administration  
William R. Snodgrass Tennessee Tower,  
Suite 2200  
312 Rosa L. Parks Avenue  
Nashville, Tennessee 37243

#### **3.2 Qualifications Submittal and Evaluation Guide**

- 3.2.1 The Submittal and Evaluation Guide details specific requirements for developing and submitting a Qualifications document in response to this RFQ. This guide includes business and general requirements as well as technical queries requiring written responses.
- 3.2.2 No pricing information (except company financial data that is specifically requested) shall be included in the Qualifications submittal. This is not a bid. Inclusion of cost amounts in the Qualifications submittal will make the Submittal non-responsive and the Owner may reject it.
- 3.2.3 Each Contractor shall use the Qualifications and Evaluation Guide to organize, reference, and draft their Qualifications documents. Contractors may utilize the Qualifications and Evaluation Guide as a table of contents.
- 3.2.4 Contractors shall use the provided form "Related Project History Form" to submit example projects for qualifications and experience information.
- 3.2.5 Qualifications documents should be economically prepared, with emphasis on completeness and clarity of content. Submitted Qualifications, as well as any reference material presented, must be written in English and must be written on standard 8 ½" x 11" paper (although charts, spreadsheets, and oversize foldout exhibits are permissible).

- 3.2.6 All document pages shall be numbered.
- 3.2.7 The Qualifications document should not exceed fifty (50) pages. This count excludes cover sheets, tabbed dividers, résumés in appendices, appendices for exhibits and examples, and pages used as Table of Contents.
- 3.2.8 All information included in a Qualifications document submittal shall be relevant to a specific requirement detailed in the Qualifications and Evaluation Guide. All information shall be incorporated into narrative responses to each specific requirement.
- 3.2.9 Charts, lists, photos, and illustrations should be utilized only when appropriate or specifically requested. Any information not conforming to these criteria will be deemed extraneous and will in no way contribute to the evaluation process.

### **4 EVALUATION & CONTRACT AWARD**

#### **4.1 Evaluation Categories and Maximum Points**

- 4.1.1 The Owner will consider Qualifications and Experience, and Project Approach in the evaluation of Contractor qualifications. The maximum points that may be awarded for each of these categories are detailed below.
- 4.1.2 Each category is weighted as follows, and one hundred (100) points is the maximum total number of points which may be awarded:
- 100 (maximum points possible)**
- General Business *(fully responsive Y/N)*
  - Qualifications & Experience *(50 points possible)*
  - Project Approach *(50 points possible)*
- 4.1.3 The Competitive Best Value Type 1 selection process is separated into two parts: a Qualifications submittal (containing Qualifications, Experience, and Project Approach) and a Bid.
- 4.1.4 Part One: Qualifications submittal documents must attain a combined minimum score of seventy (70) points for a Contractor to be offered opportunity to Bid.
- 4.1.5 Part Two: Bids will only be considered for those Contractors invited to submit bids.
- 4.1.6 Contractors invited to submit bids will be limited to the five (5) highest scoring Qualifications submittals in Part One, who's Qualifications have attained the minimum combined score of seventy (70) points.
- 4.1.7 Contractors shall be responsive to the bidding requirements provided in the project documents, and the State of Tennessee's bidding procedures.
- 4.1.8 The Contractor with the lowest Bid in accordance with Part Two will be considered the apparent low bidder for contract award pending review by the Owner.

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**End of Section**

# BV1 RFQ GENERAL REQUIREMENTS

## NONDISCRIMINATION

**1.1** No person shall be excluded from participation in, be denied benefits of, be discriminated against in the admission or access to, or be discriminated against in treatment or employment in the State of Tennessee's contracted programs or activities on the grounds of disability, age, race, color, religion, sex, national origin, or any other classification protected by federal or Tennessee State Constitutional or statutory law; nor shall they be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of contracts with the State of Tennessee or in the employment practices of the contractors licensed in the State of Tennessee. Accordingly, all vendors entering into contracts with the State of Tennessee shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.

**1.2** The Owner has designated the following to coordinate compliance with the nondiscrimination requirements of the State of Tennessee, Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, and applicable federal regulations .

Greg Spradley, Title VI Coordinator  
Department of Finance and Administration  
William R. Snodgrass Tennessee Tower, Suite 1200  
312 Rosa L. Parks Avenue  
Nashville, Tennessee 37243  
Telephone: (615) 253-8703

## ASSISTANCE FOR PERSONS WITH A DISABILITY

**2.1** A Contractor participating in the RFQ, who has a disability, may receive accommodation regarding the means of communicating this RFQ and participating in this RFQ process. The person with a disability should contact the RFQ Coordinator to request reasonable accommodation no later than the Disability Accommodation Request Deadline detailed in the RFQ Schedule of Events.

## RFQ COMMUNICATIONS

**3.1** Any verbal communications shall be considered unofficial and non-binding with regard to this RFQ.

**3.2** Each participating Contractor shall assume the risk of the method of dispatching any communication or Qualifications Submittal Documents to the Owner. The Owner assumes no responsibility for delays or delivery failures resulting from the method of dispatch. Actual or electronic "postmarking" of a communication or any document to the Owner by a deadline date shall not substitute for actual receipt of a communication or document by the Owner.

**3.3.** The RFQ Coordinator must receive all written comments, including questions and requests for clarification, no later than the Written Comments Deadline detailed in the RFQ Schedule of Events.

**3.4** The Owner reserves the right to determine, at its sole discretion, the appropriate and adequate responses to written comments, questions, and requests for clarification. The Owner's official responses and other official communications pursuant to this RFQ shall constitute an amendment of this RFQ.

**3.5** The Owner will convey all official responses and communications pursuant to this RFQ to the participating Contractors from whom the Owner has received a Letter of Intent.

**3.6** Only the Owner's official, written responses and communications shall be considered binding with regard to this RFQ.

**3.7** The Owner reserves the right to determine, at its sole discretion, the method of conveying official responses and communications pursuant to this RFQ (e.g., written, facsimile, electronic mail, or Internet posting).

**3.8** Any data or factual information provided by the Owner, in this RFQ or an official response or communication, shall be deemed for informational purposes only, and if a Contractor relies on such data or factual information, the Contractor shall either: (1) independently verify the information; or, (2) obtain the Owner's written consent to rely thereon.

## GENERAL RFQ CONDITIONS AND CONTRACTING INFORMATION

**4.1 Waiver of Objections.** Each participating Contractor shall carefully review this RFQ and all Attachments for comments, questions, defects, objections, or any other matter requiring clarification or correction (collectively called "comments"). Comments concerning RFQ objections must be made in writing and received by the Owner no later than the written comments deadline detailed in the RFQ Schedule of Events. This will allow issuance of any necessary amendments and help prevent the opening of defective Qualifications Submittal Documents upon which contract award could not be made. Protests based on any objection shall be considered waived and invalid if these comments/objections have not been brought to the attention of the Owner, in writing, by the written comments deadline.

**4.2 RFQ Amendment and Cancellation.** The Owner reserves the unilateral right to amend this RFQ in writing at any time. If an RFQ amendment is issued, the Owner will convey such amendment to participating Contractors who submitted a Letter of Intent. Each Qualifications submittal must respond to the final written RFQ and any exhibits, attachments, and amendments. The Owner reserves the right, at its sole discretion, to cancel and reissue this RFQ or to cancel this RFQ in its entirety in accordance with applicable laws and regulations.

## 4.3 Prohibitions and Right of Rejection.

**4.3.1** The State of Tennessee reserves the right, at its sole discretion, to reject any and all submitted documents in accordance with applicable laws and regulations.

**4.3.2** Each Qualifications submittal must comply with all of the terms of this RFQ and all applicable laws and regulations of the State of Tennessee. The Owner may reject any submitted documents that do not comply with all of the terms, conditions, and performance requirements of this RFQ. The Owner may consider any Qualifications submittals that do not meet the requirements of this RFQ to be non-responsive, and the Owner may reject such submittals.

**4.3.3** An offer of alternate services (i.e., submittal documents that offer services different from those requested by this RFQ) shall be considered non-responsive and rejected.

**4.3.4** A Contractor shall not restrict the rights of the Owner or otherwise qualify Qualifications submittal documents. The Owner may determine such a submittal to be a non-responsive counteroffer, and the submittal may be rejected.

4.3.5 A Contractor shall not submit the Contractor's own contract terms and conditions in a response to this RFQ. If submitted documents contains such terms and conditions, the Owner may determine, at its sole discretion, the documents to be a non-responsive counteroffer, and the submitted documents may be rejected.

4.3.6 A Contractor shall not submit multiple separate Qualifications Document packages in response to the RFQ. For instance, submitting as an individual, then also again as a company. Submitting more than one Qualifications package shall result in the disqualification of the Contractor.

4.3.7 A participating Contractor shall not submit multiple Qualifications packages in different forms or formats. This prohibited action shall be defined as a Contractor submitting one Qualifications package as a prime contractor and permitting a second Contractor to submit another Qualifications package with the first Contractor offered as a subcontractor. This restriction does not prohibit different participating Contractors from offering the same subcontractor as a part of their proposed services, provided that the subcontractor does not also submit a Qualifications package as a prime contractor. Submitting multiple Qualifications packages in different forms or formats may result in the disqualification of all Contractors knowingly involved.

4.3.8 Regardless of the time of detection, the Owner will consider any of the foregoing prohibited actions to be grounds for rejection of submitted Qualifications or contract termination.

4.3.9 The Owner will not contract with or consider a Qualifications submittal from:

4.3.9.1 an individual who is, or within the past six months has been, an employee or official of the State of Tennessee;

4.3.9.2 a company, corporation, or any other contracting entity in which an ownership of two percent (2%) or more is held by an individual who is, or within the past six months has been, an employee or official of the State of Tennessee (this shall not apply either to financial interests that have been placed into a "blind trust" arrangement pursuant to which the employee does not have knowledge of the retention or disposition of such interests or to the ownership of publicly traded stocks or bonds where such ownership constitutes less than 2% of the total outstanding amount of the stocks or bonds of the issuing entity);

4.3.9.3 a company, corporation, or any other contracting entity which employs an individual who is, or within the past six months has been, an employee or official of the State of Tennessee in a position that would allow the direct or indirect use or disclosure of information, which was obtained through or in connection with his or her employment and not made available to the general public, for the purpose of furthering the private interest or personal profit of any person; or,

4.3.9.4 any individual, company, or other entity involved in assisting the Owner in the development, formulation, or drafting of this RFQ or its scope of services shall be considered to have been given information that would afford an unfair advantage over other participating Contractors, and such individual, company, or other entity may not submit a response to this RFQ.

4.3.9.5 For the purposes of applying the requirements of RFQ subsection 4.3.9, et. seq., an individual shall be deemed an employee or official of the State of Tennessee until such time as all compensation for salary, termination pay, and annual leave has been paid, but the term "employee of the State of Tennessee" shall not include individuals performing volunteer services for the State of Tennessee.

**4.4 Waiver of Variances.** The Owner reserves the right, at its sole discretion, to waive variances from full compliance with this RFQ. If the Owner waives minor variances, such waiver shall not modify the RFQ requirements or excuse the Contractor from full compliance with such. Notwithstanding any minor variance, the Owner may hold any participating Contractor to strict compliance with this RFQ.

**4.5 Incorrect Information.** If the Owner determines that a Contractor has provided, for consideration in this RFQ process or subsequent contract negotiations, incorrect information that the Contractor knew or should have known was materially incorrect, that submittal shall be determined non-responsive and shall be rejected.

**4.6 Proposal of Additional Services.** If a Contractor offers services in addition to those required by and described in this RFQ, these additional services may be added to the contract before contract signing at the sole discretion of the Owner. Notwithstanding the foregoing, a Contractor shall not receive any additional cost amount(s) or rate(s) for additional services.

**4.7 Assignment and Subcontracting.**

4.7.1 The Contractor awarded a contract pursuant to this RFQ shall not subcontract, transfer, or assign any portion of the contract without the Owner's prior, written approval.

4.7.2 A subcontractor may only be substituted for a proposed subcontractor at the discretion of the Owner and with the Owner's prior, written approval.

4.7.3 At its sole discretion, the Owner reserves the right to refuse approval of any subcontract, transfer, or assignment.

4.7.4 Notwithstanding Owner approval of each subcontractor, the Contractor submitting documents, if awarded a contract pursuant to this RFQ, shall be the prime contractor and shall be responsible for all work performed.

**4.8 Joint Ventures.** If the Owner allows consideration of joint venture on this project, and if participating Contractors intend to submit Qualifications documents as a joint venture, then the following requirements shall apply:

4.8.1 For the purposes of this RFQ, the Owner recognizes a joint venture as separate organizations or business entities that intend to combine professional or technical expertise and business experience, and to share contractual and project responsibilities in performance of a contract pursuant to this RFQ.

4.8.2 Each joint venture participant shall meet the licensure requirements stated in the RFQ.

4.8.3 Each joint venture participant shall meet the insurance requirements stated in the RFQ.

4.8.4 Each joint venture participant shall individually provide all documentation required for review of financial responsibility and stability. The Owner will not recognize nor accept as a singular qualification, any combination of financial assets and resources from separate organizations or business entities submitting Qualifications Documents in response to this RFQ.

4.8.5 A sub-contractor to a Submitting Company is not a joint venture participant.

**4.9 Right to Refuse Personnel.** At its sole discretion, the Owner reserves the right to refuse any personnel, of the prime contractor or a subcontractor, for use in the performance of a contract pursuant to this RFQ. Except for contracts that involve Tennessee Department of Correction (TDOC) detention project sites, the Owner will document in writing the reason(s) for any rejection of personnel. For contracts that involve TDOC detention project sites, denial of access decisions are at sole discretion of the facility's Warden and are final and non-negotiable.



#### **4.10 Performance of Contractual Services.**

Management, performance, completion and delivery of the services pursuant to this RFQ are to be as specified in the Owner's Project Manual and associated documents.

**4.11 Withdrawal of Submitted Qualifications.** Submitted Qualifications can be withdrawn at any time up to the Deadline time and date detailed in the RFQ Schedule of Events. To do so, a Submitting Company shall submit a written request, signed by an authorized representative to withdraw submitted qualifications. After withdrawing previously submitted qualifications, a Submitting Company is eligible to re-submit qualifications documents at any time up to the Deadline.

**4.12 Submitted Document Errors and Amendments.** Each Contractor is liable for all errors or omissions within submitted documents. A Contractor shall not be allowed to alter or amend submitted Qualifications documents after the deadline time and date detailed in the RFQ Schedule of Events unless such is formally requested, in writing, by the Owner.

**4.13 Submittal Document Preparation Costs.** The Owner will not pay any costs associated with the preparation, submittal, or presentation of any documents.

#### **4.14 Disclosure of Qualifications Documents Contents.**

4.14.1 Qualifications documents and all materials submitted to the Owner in response to this RFQ shall become the property of the Owner. Selection or rejection of a participating Contractor does not affect this right. By submitting Qualification documents, a participating Contractor acknowledges and accepts that the qualifications documents contents and associated material will become open to public inspection in accordance with the laws of the State of Tennessee.

4.14.2 All Qualifications information, including detailed monetary information, shall be held in confidence during the evaluation process. Notwithstanding, a list of actual Contractors submitting timely Qualifications documents may be available to the public, upon request, after the Qualifications submissions are opened by the Owner.

4.14.3 Upon the completion of the evaluation of Qualifications, indicated by public release of an Evaluation Notice, the Qualifications documents and associated materials shall be open for review by the public in accordance with Tennessee Code Annotated, Section 10-7-504(a)(7).

4.14.4 By submitting Qualifications documents, the Contractor acknowledges and accepts that the full contents of all associated documents shall become open to public inspection.

**4.15 Severability.** If any provision of this RFQ is declared by a court to be illegal or in conflict with any law, said decision shall not affect the validity of the remaining RFQ terms and provisions, and the rights and obligations of the Owner and Contractors shall be construed and enforced as if the RFQ did not contain the particular provision held to be invalid.

### **EVALUATION**

#### **5.1 Evaluation Process.**

5.1.1 The evaluation process is designed to determine those Qualifications Submittal Documents having the highest total scores.

5.1.2 The RFQ Coordinator will use the Qualifications and Evaluation Guide to manage the evaluation and maintain evaluation records.

5.1.3 The RFQ Coordinator will review each Qualifications submission to determine compliance with RFQ requirements (refer to Qualifications and Evaluation Guide). If the RFQ Coordinator determines that submitted documents may have failed to meet one or more of the RFQ requirements, the Evaluation Team will review the submitted documents and record its determination of whether: (1) the Qualifications submission meets requirements for further evaluation; (2) the Owner will request clarifications or corrections; or, (3) the Owner will determine the Qualifications submission as non-responsive to the RFQ and reject it.

5.1.4 An Evaluation Team, made up of three or more State of Tennessee employees, will evaluate each Qualification Submittal Document that appears responsive to the RFQ.

5.1.5 Each Evaluation Team member will evaluate each submission against the evaluation criteria in this RFQ, and will score each in accordance with the Qualifications and Evaluation Guide.

5.1.6 The Owner reserves the right, at its sole discretion, to request clarification of Qualifications Submittal Documents or to conduct clarification discussions with any or all Contractors responding to the RFQ. Any such clarification or discussion may be limited to specific sections of the submitted documents identified by the Owner. The subject Contractor shall submit any resulting clarification in writing as may be required by the Owner.

**5.2 Presentations – Interviews.** The Owner reserves the right to receive an oral presentation from, or conduct interviews with Contractors responding to the RFQ. Oral presentations and the number of firms interviewed are at the sole discretion of the Owner. Presentations or interviews will be scheduled by the Owner and included as a component of Qualifications documents.

**5.3 Closure of Evaluation.** Evaluation of Submittal Documents concludes with determination of the submitted Qualifications having the highest total scores.

**5.4 Evaluation Notice.** The Owner will issue an Evaluation Notice to identify the apparent high scoring Qualifications documents on the date detailed in the RFQ Schedule of Events. The Evaluation Notice shall not create rights, interests, or claims of entitlement in either the RFQ participant with apparent best-evaluated Qualifications Documents or any other RFQ participant.

**5.5 RFQ Files Open.** RFQ files will be available for public inspection as detailed in the RFQ Schedule of Events. The files remain open for public review from that date. Bid result information will be available upon opening of bids (Bid Date) as detailed in the RFQ Schedule of Events.

**5.6 Protest Process. Protest Process.** Any actual proposer who claims to be aggrieved in connection with this RFP may protest to the State Building Commission's Executive Subcommittee. The protest shall be submitted in writing within seven (7) days after the RFP files are open for public inspection, in accordance with the RFP Schedule of Events. Any issues raised by the protesting party after the seven-day period shall not be considered as part of the protest. The protest and any appeals shall be governed by Tenn. Code Ann. § 12-4-109(a)(E).

#### **5.7 END OF RFQ GENERAL REQUIREMENTS**

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## PROPOSAL PACKAGE COVER ATTACHMENT

**Chiller Replacement – Phase 3  
R.S. Gass State Lab  
630 Hart Lane  
Nashville, Tennessee**

**SBC NUMBER:  
SBC Number 406/003-01-2010-02**

### ***Tennessee Contractor License Information***

***Any blank spaces may cause Proposal to be unacceptable and rejected.***

*Provide contractor license number, expiration date, and classifications for Proposer  
as applicable and in accordance with State of Tennessee licensing law.  
Provide all names as used for licensing or other legal transactions.*

#### **Proposer Identification:**

Proposer \_\_\_\_\_  
Address \_\_\_\_\_

#### **Tennessee Contractor License information:**

License Number \_\_\_\_\_  
License Classification(s) applicable to Project \_\_\_\_\_  
License expiration date \_\_\_\_\_ \$( \_\_\_\_\_ )  
Dollar Limit

**SBC Number 406/003-01-2010-02**  
**RFQ STATEMENT OF CERTIFICATIONS AND ASSURANCES**

*The Contractor submitting a response to this RFQ shall complete the Statement of Certifications and Assurances below as required, and it shall be included in the Qualifications Submittal QUALIFICATIONS & EVALUATION GUIDE — SECTION A, Item A.5).*

**The Contractor submitting qualifications in response to this RFQ does, hereby, affirm, declare, confirm, and assure all of the following:**

- 1) The Submitting Contractor will comply with all of the provisions and requirements of the RFQ.
- 2) The Submitting Contractor will provide all services as defined in the Scope of Services set out in the RFQ and the Standard Form of Agreement Between Owner and Contractor for the total contract period.
- 3) The Submitting Contractor accepts and agrees to all terms and conditions set out in the RFQ and the Standard Form of Agreement Between Owner and Contractor.
- 4) The Submitting Contractor acknowledges and agrees that a contract resulting from the RFQ shall incorporate, by reference, all submitted responses as a part of the contract.
- 5) The Submitting Contractor shall comply with:
  - a) the laws of the State of Tennessee;
  - b) Title VI of the federal Civil Rights Act of 1964;
  - c) Title IX of the federal Education Amendments Act of 1972;
  - d) the Equal Employment Opportunity Act and the regulations issued there under by the federal government; and
  - e) the Americans with Disabilities Act of 1990 and the regulations issued there under by the federal government;
- 6) To the knowledge of the undersigned, the information detailed within the documents submitted in response to the RFQ is accurate.
- 7) The submitted documentation in response to this RFQ was independently prepared, without collusion, under penalty of perjury.
- 8) No amount shall be paid directly or indirectly to an employee or official of the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Submitting Contractor in connection with the RFQ or any resulting contract.
- 9) The Qualifications Submittal Documents submitted in response to the RFQ shall remain valid for at least 120 days subsequent to the date of the Cost Proposal opening and thereafter in accordance with any contract pursuant to the RFP.

*By signing this Proposal Statement of Certifications and Assurances, below, the signatory also certifies legal authority to bind the submitting entity to the provisions of this RFQ and any contract awarded pursuant to it. If said individual is not the Company's chief executive, this document shall attach evidence showing the individual's authority to bind the Company.*

**DO NOT SIGN THIS DOCUMENT IF YOU ARE NOT LEGALLY AUTHORIZED TO BIND THE SUBMITTING ENTITY**

**SIGNATURE:**

*Wet Signature Required.*

**PRINTED NAME & TITLE**

**DATE:**

**CONTRACTOR LEGAL ENTITY NAME:**

**FEDERAL EMPLOYER IDENTIFICATION NUMBER: (or Social Security Number)**

## RELATED PROJECT HISTORY FORM

*Include project history form with submitted Proposal & Evaluation Guide, Section B,  
for Qualifications and Experience*

**Proposing Company** (and Branch Office if applicable): \_\_\_\_\_

**Proposer Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

***Client Representative knowledgeable about the project work:***

**Name of Proposer's Client:** \_\_\_\_\_  
Procuring Entity (Federal Agency, State Agency, Municipality, Private Company, Other)

**Contact's Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **E-mail:** \_\_\_\_\_

**Project Title:** \_\_\_\_\_

**Project or Contract Number:** \_\_\_\_\_

**Project Location (City, State)** \_\_\_\_\_

**Start Date:** \_\_\_\_\_ **Completion Date:** \_\_\_\_\_

**Program/ Agency Name (if applicable):** \_\_\_\_\_

**Cost Range for the Example Project:** \$ \_\_\_\_\_ ☐Thousand ☐Million

Brief description of the project scope and service(s) provided:

**Attach additional pages as necessary**

**Use this form for submitting projects of Proposer team participants if applicable**

**The State reserves the right to contact the Client Representative.  
Please confirm that contact information is current.**

**Qualifications & Evaluation Guide Forms****General Contractor Services - Best Value Type 1****Sections A through C****QUALIFICATIONS & EVALUATION GUIDE — SECTION A**

<b>CONTRACTOR COMPANY NAME:</b>		
<b>SECTION A — GENERAL BUSINESS REQUIREMENTS</b>		
<p>The Contractor shall address all General Business Requirements section items and provide, in sequence, the information and documentation as required (referenced with the associated item references). The RFQ Coordinator will review all general business requirements, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>▪ Qualifications Submittal Document received on or before the deadline.</li> <li>▪ Qualifications contain no cost data.</li> <li>▪ Contractor did not submit alternate offer of services.</li> <li>▪ Qualifications document does not contain any restrictions of the rights of the Owner or other qualification of the Qualifications document.</li> </ul> <p>The RFQ Coordinator will review the submitted document to determine if the General Business Requirement Items (below) are met and mark each with Y/N. For each requirement that is not met, the Evaluation Team may review the Qualifications and provide a written determination.</p> <p>NOTICE: In addition to these requirements, the Owner will also evaluate compliance with all RFQ requirements.</p>		
<b>Page # for this information</b>	<b>Qualifications Submittal Document Submission and General Business Items</b>	<b>Owner Use ONLY</b>
	<b>A.1</b> Qualifications Submittal Document received at correct location and on time.	responsive Y/N
	<b>A.2</b> One Original and five (5) copies of Qualifications Submittal Document received.	
	<b>A.3</b> Responsive to document layout details. Section and subsections partitioned with tabbed separation sheets. Tabs are labeled accordingly.	
	<b>A.4</b> Qualifications Submittal Document includes a transmittal letter on company letterhead with original wet signature, signed by a company officer empowered to bind the company to the provisions of RFQ and any contract awarded pursuant to it.	
	<b>A.5</b> Provide the Statement of Certifications and Assurances completed and signed, in the space provided, by an individual empowered to bind the Company to the provisions of this RFQ and any resulting contract.	
	<b>A.6</b> Describe the Contractor's form of business (i.e., individual, sole proprietor, corporation, non-profit corporation, partnership, Limited Liability Company) and detail the name, mailing address, telephone number, and e-mail address of the person the Owner should contact regarding submitted Qualifications document.	
	<b>A.7</b> Provide a statement of whether there have been any mergers, acquisitions, or sales of the Company within the last five (5) years, and if so, an explanation providing relevant details.	
	<b>A.8</b> Provide a statement listing pending litigation against the Contractor; if such litigation exists, and attached opinion of counsel as to whether the pending litigation will impair the Contractor's performance in a contract pursuant to this RFQ.	
	<b>A.9</b> Provide a statement of whether, in the last ten (10) years, the Contractor has filed (or had filed against it) any bankruptcy or insolvency proceeding, whether voluntary or involuntary, or undergone the appointment of a receiver, trustee, or assignee for the benefit of creditors, and if so, an explanation providing relevant details.	

**End of Section A****03 16 00**

**General Contractor Services - Best Value Type 1****QUALIFICATIONS & EVALUATION GUIDE — SECTION B**

<b>CONTRACTOR COMPANY NAME:</b>			
<b>SECTION B — QUALIFICATIONS &amp; EXPERIENCE</b>			
Address all Qualifications and Experience section items and provide, in sequence, the information and documentation as required.			
<b>Page # for this response</b>	<b>Qualifications and Experience Items</b>	<b>Owner Use ONLY</b>	
	<b>B.1</b> Provide a brief statement indicating the Contractor's qualifications to deliver the services sought under this RFQ.		
	<b>B.2</b> Provide a summary description of a minimum of three projects in recent years that have similar scope and/or complexity, and which are currently under construction or have been completed (or substantially completed) by the Contractor as GC. a. include specific details on the extent of services the Contractor provided. b. Include specific construction experience in the project management, field supervision, and successful execution of this project type. c. if applicable to this project, include examples of work/projects carried out in different facilities simultaneously. d. provide examples from projects that demonstrate experience in completing projects constrained to a tight or complex construction schedule. A Related Project History Form is provided for the Contractor's use in compiling and presenting this information. (This form is a model only. Utilize a format that best suits your information, but include all informational details outlined on the form.)		
	<b>B.3</b> Provide the following information arranged in a simple table: a. a list of current contracts to which the Contractor is presently committed, principally those contracts serviced by a Tennessee office if applicable; b. both the dollar-volume range, and time-frame for each referenced contract; c. specify the services provided for each referenced contract.		
	<b>B.4</b> Provide the following concise summary résumés of key personnel who shall be assigned by the Contractor to perform duties or services under the Contract: a. Key personnel who shall be assigned to perform duties or services under the Contract. Key personnel shall include at a minimum the Project Manager and the Superintendent. b. Concise summary résumés shall detail each individual's title/position with the Contractor, applicable employment history (5 years), and applicable experience (10 years) that highlights positions/work with similar scope and responsibility. c. Highlight construction experience with projects of similar scope and/or complexity that are under construction or have been substantially completed.		
	<b>B.5</b> Show the company's organizational chart that would be utilized for this Contract illustrating lines of authority and where personnel are positioned. a. Such personnel should include, but not be limited to, the Senior Project Executive or Administrator, Project Manager, Field Superintendent(s), and other key personnel who may be required. b. Show the Company President or Principal-in-Charge (by whatever name called), but who may not be exclusively assigned to this Project.		

	<p><b>B.6</b> Provide documentation of the Proposer's commitment to diversity as represented by its business strategy, business relationships, and workforce— this documentation should detail all of the following:</p> <ul style="list-style-type: none"> <li>a. A description of the Proposer's existing programs and procedures designed to encourage and foster commerce with minority owned, women owned, service-disabled veteran owned and small business enterprises.</li> <li>b. A listing of the Proposer's current contracts with business enterprises owned by minorities, women, service-disabled veterans and small business enterprises, including the following information: <ul style="list-style-type: none"> <li>(i) Contract description and total value</li> <li>(ii) Proposer name and ownership characteristics (i.e., ethnicity, sex, disability)</li> <li>(iii) Proposer contact and telephone number;</li> </ul> </li> <li>c. An estimate of the level of participation by business enterprises owned by minorities, women, service-disabled veterans, and small business enterprises in a contract awarded to the Proposer pursuant to this RFP, including the following information: <ul style="list-style-type: none"> <li>(i) Participation estimate (expressed as a percent of the total contract value that will be dedicated to business with subcontractors and suppliers having such ownership characteristics — PERCENTAGES ONLY — DO NOT INCLUDE DOLLAR AMOUNTS)</li> <li>(ii) Descriptions of anticipated contracts</li> <li>(iii) Names and ownership characteristics (i.e., ethnicity, sex, disability) of anticipated subcontractors and suppliers anticipated; and</li> </ul> </li> <li>d. The percent of the Proposer's total current employees by ethnicity, sex, and disability.</li> </ul> <p>NOTE: Proposers that demonstrate a commitment to diversity will advance the State's efforts to expand opportunity to do business with the State of Tennessee as Proposers and subcontractors. Proposal evaluations will recognize the positive qualifications and experience of a Proposer that does business with enterprises owned by minorities, women, service-disabled veterans, and small business enterprises and that offers a diverse workforce to meet service needs.</p>		
<p><i>(Maximum Section B Score = 50)</i></p>			
<p><b>SCORE (for all Section B items above, B.1 through B.6):</b></p>			

**End of Section - B**

**General Contractor Services - Best Value Type 1****QUALIFICATIONS & EVALUATION GUIDE — SECTION C**

<b>CONTRACTOR COMPANY NAME:</b>			
<b>SECTION C — PROJECT APPROACH</b>			
Address all Project Approach section items and provide, in sequence, the information and documentation as required.			
<b>Page #</b> for this information	<b>Project Approach Items</b>	<b>Owner Use ONLY</b>	
	<b>C.1</b> Provide a descriptive statement indicating the Contractor's approach to delivering the services sought under the RFQ.		
	<b>C.2</b> Describe how the Contractor will staff this project: a. Include the Contractor's project management team. The staffing of the proposed project management team, at a minimum, is comprised of the key personnel from Section B.4, but may include other technical personnel in relation to their role in the project. b. Include information on the Contractor's sources of labor, skill training, TOSHA compliance & procedures, job safety plan, and safety training capabilities.		
	<b>C.3</b> Describe the Contractor's approach/procedures for the following items: a. Project Tracking/Reporting: procedures for project tracking and reporting, including scheduling, and accounting. Provide an example of a progress report. b. Close Out Phase: Procedures for Close Out Phase activity, inclusive of Electronic As-Builts (Record Drawings) and Warranty Phase.		
	<b>C.4</b> Quality Control: Describe how your firm implements quality control throughout the construction phases.		
<i>(Maximum Section C Score = 50)</i>			
<b>SCORE (for all Section C items above, C.1 through C.4):</b>			

**End of Section - C**



<h1 style="margin: 0;">RFQ</h1> <h2 style="margin: 0;">SCORE SUMMARY MATRIX FORMAT</h2>
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	Qualification & Experience Maximum 50 Points						Project Approach Maximum 50 Points						Q&E+PA Maximum 100 Points
Evaluator	1	2	3	4	5	Average	1	2	3	4	5	Average	Total Q&E+PA
Submitting Companies													
Contractor A													
Contractor B													
Contractor C													
Contractor D													
Contractor E													
Contractor F													

The Average of the scores of all evaluators for the Q&E+PA will be totaled, and then these raw scores will be normalized to give the highest raw score the maximum points. The formula is:

$$\frac{\text{Average Score Total Q\&E+PA}}{\text{Highest Average Score Total Q\&E+PA}} \times \text{Maximum Points}$$

Calculations shall result in numbers rounded to two decimal places.

\_\_\_\_\_  
RFQ Coordinator

\_\_\_\_\_  
Date